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DAVID T. BIDERMAN, Bar No. 101577
JUDITH B. GITTERMAN, Bar No. 115661
M. CHRISTOPHER JHANG, Bar No. 211463
PERKINS COIE LLP
Four Embarcadero Center, Suite 2400
San Francisco, CA 94111-4131
Telephone: (415) 344-7000
Facsimile: (415) 344-7050
Email: DBiderman@perkinscoie.com
Email: JGitterman@perkinscoie.com
Email: CJhang@perkinscoie.com

Attorneys for Defendant Google Inc.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

CLRB HANSON INDUSTRIES, LLC d/b/a INDUSTRIAL PRINTING, and HOWARD STERN, on behalf of themselves and all others similarly situated, Plaintiffs, v. GOOGLE, INC., Defendant.	CASE NO. C 05-03649 JW **SUPPLEMENTAL DECLARATION OF LESLIE M. ALTHERR IN SUPPORT OF GOOGLE INC.'S OPPOSITION TO PLAINTIFFS' SUPPLEMENTAL MEMORANDUM IN SUPPORT OF PARTIAL SUMMARY JUDGMENT**

I, Leslie M. Altherr, declare as follows:

1. I am employed as a Senior Litigation Paralegal at Google Inc. ("Google"). I submit this declaration in support of Google's Opposition to Plaintiffs' Supplemental Memorandum In Support of Partial Summary Judgment. I have personal knowledge of the facts set forth below except as to those matters stated on information and belief, and as to those matters, I believe them to be true. If called upon to testify, I could and would testify competently

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as to the matters set forth herein. I submit this declaration under the direction of counsel and, except for the matters stated herein, do not waive any attorney-client or work product privileges.

2. When Google is involved in litigation, Google's practice is to send a litigation hold memorandum to employees with relevant documentation. Google's practice was followed in this case. Specifically, I have confirmed that a litigation hold memorandum was sent to Heather Wilburn by email on August 22, 2005 and was sent to Michael Schulman and Shivakumar Venkataraman on October 11, 2005.

3. From approximately July through October 2006, the legal department engaged in an effort to locate all documentary evidence that AdWords advertisers must click and accept the AdWords Agreement before their accounts can be opened. Such records are currently maintained by the Online Operations team. The Online Operations team currently archives records of an advertiser's acceptance of the current AdWords Agreement, but did not archive the original "click and accept" records in July 2002 and October 2003, when plaintiffs opened their accounts. Accordingly, such records do not exist for the period when plaintiffs signed up for their accounts.

4. Ms. Wilburn is not a member of the Online Operations Team, which maintains the "click and accept" records. I therefore did not contact her as part of my initial efforts to locate such records. After Google's initial document production in this case, in connection with preparing for her March 2007 deposition, Ms. Wilburn supplied the legal department with a five year old binder of AdWords training materials which she personally maintained in her office. This binder included a printout of a PowerPoint presentation which included a single page screenshot showing the "click and accept" page for the 2002 period. This document was not part of any materials maintained by the Online Operations team. The legal department immediately supplied this document to our outside counsel for production to plaintiffs in this litigation.

5. Ms Wilburn is currently traveling outside of the country and cannot be reached.

I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct.

Executed this 18th day of May, 2007, at Mountain View, California.

Leslie M. Altherr